

SEC. 2. No person shall be eligible as Governor or Lieutenant-Governor unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person elected to either of these two offices be eligible to the same office more than four years in any term of eight years, unless the office shall have been cast upon him as Lieutenant-Governor or President of the Senate.

Qualifications of Governor and Lieutenant-Governor.

Const. 1868; Const. 1776, s. 15.

SEC. 3. The return of every election for officers of the Executive Department shall be sealed up and transmitted to the seat of government by the returning officer, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of a majority of the members of both Houses of the General Assembly. The persons having the highest number of votes respectively shall be declared duly elected; but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both Houses of the General Assembly. Contested elections shall be determined by a joint ballot of both Houses of the General Assembly in such manner as shall be prescribed by law.

Returns of elections.

Const. 1868; Convention 1835, art. II, ss. 3, 4.  
Winslow v. Morton, 118-486; O'Hara v. Powell, 80-108.

SEC. 4. The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assembly, or before any Justice of the Supreme Court, take an oath or affirmation that he will support the Constitution and laws of the United States, and of the State of North Carolina, and that he will faithfully perform the duties appertaining to the office of Governor, to which he has been elected.

Oath of office for Governor.

Const. 1868; Convention 1835, art. II, s. 5.

SEC. 5. The Governor shall reside at the seat of government of this State, and he shall, from time to time, give the General Assembly information of the affairs of the State, and recommend to their consideration such measures as he shall deem expedient.

Duties of Governor.

Const. 1868.

SEC. 6. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses (except in cases of impeachment), upon such conditions as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall biennially communicate to the General Assembly each case of reprieve, commutation or pardon granted, stating the names of each convict, the crime for which he was convicted, the sentence and its date, the date of commutation, pardon or reprieve, and the reasons therefor.

Reprieves, commutations and pardons.

Const. 1868; Const. 1776, s. 19.

In re Williams, 149-436; State v. Bowman, 145-452; Herring v. Pugh, 126-862; In re McMahon, 125-40; State v. Mathis, 109-815; State v. Cardwell, 95-643; State v. Alexander, 76-231; State v. Mooney, 74-98; State v. Blalock, 61-242.